

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ORLANDO MCQUARTERS,
Plaintiff,
v.
GIOVANNA BORGNA, et al.,
Defendants.

Case No. [22-cv-03679-TSH](#)

ORDER TO SHOW CAUSE

On August 31, 2023, Defendant City of Oakland filed a motion to dismiss, with a noticed hearing date of October 12. ECF No. 80. As Plaintiff Orlando McQuarters failed to file an opposition pursuant to Civil Local Rule 7, the Court hereby **VACATES** the motion hearing and **ORDERS** Plaintiff to show cause why this case should not be dismissed pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a declaration by September 21, 2023 and simultaneously file a response to the motion to dismiss. If a response is filed, the Court shall either issue an order based on the declaration or conduct a hearing on September 28, 2023 at 10:00 a.m. by Zoom video conference. The webinar link and instructions are located at <https://cand.uscourts.gov/judges/hixson-thomas-s-tsh/>. If Plaintiff files an opposition, Defendant shall file any reply by September 28, 2023.

Notice is hereby provided that failure to file a written response will be deemed an admission that Plaintiff does not intend to prosecute, and the case will likely be dismissed without prejudice. Thus, it is imperative the Court receive a written response by the deadline above.

IT IS SO ORDERED.

Dated: September 15, 2023


THOMAS S. HIXSON
United States Magistrate Judge